

REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated February 11, 2008. In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

As outlined above, claims 1-4, 6-9, 11-13, 16-18, and 21-25 stand for consideration in this application, wherein claims 10, 19, and 20 are being canceled without prejudice or disclaimer, while claims 1 and 6 are being amended. In addition, new claims 22-25 are hereby submitted for consideration.

All amendments to the application are fully supported therein, including Paragraph [0057] of the specification. Applicants hereby submit that no new matter is being introduced into the application through the submission of this response.

Formal Rejections

Claims 10, 19, and 20 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As mentioned above, claims 10, 19, and 20 are being canceled, and therefore, these rejections are moot. Accordingly, withdrawal of these rejections is respectfully requested.

Prior Art Rejections

The First 35 U.S.C. §103(a) Rejections

Each of claims 1-3, 6-11, and 16-21 was rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Bullock et al. (U.S. Pat. No. 5,170,609) in view of Moreland (U.S. Pat. No. 4,028,024). As mentioned above, claims 10, 19, and 20 are being canceled, and therefore, the rejections of claims 10, 19, and 20 are moot. Applicants respectfully traverse the rejections of claims 1-3, 6-9, 11, 16-18, and 21 for the reasons set forth below.

Claim 1

In a packaging apparatus as recited in claim 1, a charging device charges a granular object into a storage bag having an open end. The granular object is constituted to adsorb a gas. An air removing device expels air from the storage bag into which the granular object has been charged. A sealing device seals the open end of the storage bag from which the air has been expelled. A heating device heats the granular object before the storage bag is sealed so that a temperature of the granular object reaches a predetermined temperature. It is predicted that a temperature of the granule object in the sealed bag reaches a certain maximum temperature. The predetermined temperature is the predicted maximum temperature.

The granular object which is constituted to adsorb a gas is heated up to the predicted maximum temperature before it is charged in the sealed bag. Then, the gas emitted from the heated granular object is expelled from the bag. Consequently, the sealed bag including the granular object will not be expanded even when the temperature of the granular object in the sealed bag reaches again the predicted maximum temperature, since the gas adsorbed by the granule object was already expelled from the bag.

The Examiner asserted that a granular object being constituted to adsorb a gas recited in claim 1 may read on a product 55 shown in Bullock. However, Bullock does not show or suggest explicitly or implicitly that the product 55 is constituted to adsorb a gas. Thus, contrary to the Examiner's assertion, a granular object being constituted to adsorb a gas recited in claim 1 cannot read on a product 55 shown in Bullock. Furthermore, as admitted by the Examiner, Bullock does not show or suggest using a heating device.

The secondary reference of Moreland merely shows maintaining the gelatin substance in a feed hopper 41 at the proper fluidic temperature. It is clear that the gelatin substance in Moreland is a fluid, NOT a granule object. Furthermore, Moreland does not show or suggest explicitly or implicitly that the gelatin substance is constituted to adsorb a gas. Furthermore, the proper fluidic temperature of the gratin substance is irrelevant to a predetermined temperature as recited in claim 1. As such, the secondary reference of Moreland fails to provide any disclosure, teaching or suggestion that makes up for the deficiencies in Bullock.

Therefore, at the time the invention was made, one of ordinary skill in the art could not and would not achieve all the features as recited in claim 1 by combining Moreland with Bullock. Accordingly, claim 1 is not obvious in view of all the prior art cited.

Claim 6

Claim 6 has substantially the same features as those of claim 1. As such, the arguments set forth above are equally applicable here. Claim 1 being allowable, claim 6 must also be allowable.

Claim 2, 3, 7-9, 11, 16-18, 21

As to dependent claims 2, 3, 7-9, 11, 16-18, and 21, the arguments set forth above with respect to independent claims 1 and 6 are equally applicable here. The corresponding base claim being allowable, claims 2, 3, 7-9, 11, 16-18, and 21 must also be allowable.

The Second 35 U.S.C. §103(a) Rejection

Each of claims 4, 12, and 13 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Bullock in view of Cullen (U.S. Pat. No. 3,990,872). Applicants respectfully traverse these rejections for the reasons set forth below.

As set forth above, Bullock fails to teach all the elements recited in claim 1, from which claims 4, 12, and 13 depend. The secondary reference of Cullen fails to provide any disclosure, teaching or suggestion that makes up for the deficiencies in Bullock. Therefore, at the time the invention was made, one of ordinary skill in the art would not and could not achieve all the features as recited in claim 1, from which claims 4, 12, and 13 depend, by combining Cullen with Bullock. Accordingly, claims 4, 12, and 13 are not obvious in view of all the prior art cited.

New claims 22-25

New claim 22 has substantially the same features as those of claim 1. As such, the arguments set forth above are equally applicable here. Claim 1 being allowable, claim 22 and its dependent claims 23-25 must also be allowable.

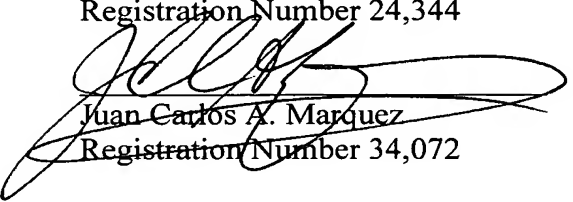
Conclusion

In light of the above Amendments and Remarks, Applicants respectfully request early and favorable action with regard to the present application, and a Notice of Allowance for all pending claims is earnestly solicited.

Favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicants' undersigned representative at the address and phone number indicated below.

Respectfully submitted,

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